

STATE OF TEXAS §  
COUNTIES OF ARANSAS §  
SAN PATRICIO AND NUECES §  
CITY OF ARANSAS PASS §

On this the 2nd day of August, 2010 the City Council of the City of Aransas Pass convened in a Regular Council Meeting being open to the Public at the regular meeting place thereof in the City Hall and notice of said meeting giving the time, place, date and subject hereof having been posted and prescribed by Chapter 551 of the Texas Government Code with the following attendance to wit constituting a quorum.

PRESENT:	Tommy Knight,	Mayor
	Vickie Abrego,	Mayor Pro Tempore
	Jay Attaway	Council Member
	Ross McElwee	Council Member
	Phillip Hyatt	Council Member

ABSENT:

ADMINISTRATIVE PERSONNEL PRESENT:	Reggie Winters,	City Manager
	Allen Lawrence,	City Attorney
	Yvonne Stonebraker	City Secretary

ADMINISTRATIVE  
PERSONNEL ABSENT:

STAFF PRESENT:	Rick Kilgore	Fire Chief
	Earl Buckmaster	Harbormaster

OTHERS PRESENT: Sandy Kubek, John Irvin, Charlie Johnson, Don & Jeanie Brummett, Commissioner Jim Price, C.L. & Juanita Davidson, Phil & Nell Reynolds, Earl & Hazel Shedd, Sheila Denney, Margaret Strickhausen, Rosemary Vega/Chamber of Commerce, Don & Judy Vlasek, Brenda McElwee and Paul Summers/Keep Aransas Pass Beautiful, Jim Rummage, David Aken, Collette Walls, Jeanne Hunter and Capt. Brent Casey.

*There may have been others present who did not sign in.*

**1. CALL MEETING TO ORDER.**

Mayor Knight called the meeting to order at 7:00 p.m. on August 2, 2010.

**2. INVOCATION AND PLEDGE OF ALLEGIANCE TO THE UNITED STATES FLAG.**

Mayor Pro Tem Abrego gave the invocation. Mayor Knight led the Pledge of Allegiance to the United States flag.

After the Invocation and Pledge of Allegiance, John Irving from the Aransas Pass Masonic Lodge made an announcement stating on Saturday, August 14, 2010 from 10:00 a.m. to 2:00 p.m. there would be a benefit barbeque for Assistant Police Chief Bill Haines. He stated the benefit barbeque would be held at Newbury Park and would be sponsored by all area Masonic Lodges, Police Departments, Fire Departments and Sheriff's Office. Mr. Irving stated the barbeque plates would consist of chicken and all the trimmings at a \$6.00 donation per plate.

3. **CONSIDER AND ACT ON APPROVING THE MINUTES OF JULY 19, 2010.**

Council Member McElwee made a motion to approve the minutes of July 19, 2010. Council Member Attaway seconded the motion and the motion carried unanimously.

4. **CONSIDER AND ACT ON ORDINANCE NO. 2010-3977 - AN ORDINANCE BY THE CITY OF ARANSAS PASS, TEXAS, GRANTING A CONDITIONAL USE PERMIT TO JUAN GALVAN TO OPERATE A BAR AT 157 S. COMMERCIAL STREET, BEING LOTS 13, 14, 15 AND 16, BLOCK 548, ARANSAS PASS, TEXAS, SUBJECT TO CONDITIONS.**

Council Member Attaway made a motion to approve Ordinance No. 2010-3977 - An Ordinance by the City of Aransas Pass, Texas, granting a Conditional Use Permit to Juan Galvan to operate a bar at 157 S. Commercial Street, being Lots 13, 14, 15 and 16, Block 548, Aransas Pass, Texas, subject to conditions.

5. **CONSIDER AND ACT ON APPROVING THE ADVANCE FUNDING AGREEMENT AMENDMENT NO. 1 FOR THE AVENUE A BUSINESS 35 TO OAK LANE PROJECT SUBMITTED BY THE TEXAS DEPARTMENT OF TRANSPORTATION.**

City Manager Reggie Winter's stated that the City of Aransas Pass had submitted \$16,000. several years ago toward the Avenue A Business 35 to Oak Lane Project (project being three lanes, curbs, gutters and sidewalks). He stated the Texas Department of Transportation needed the balance of \$30,532 paid to have the project scheduled for Fiscal Year 2011. City Manager Winter's stated the \$30,532 would be added to the City's Fiscal Year 2010-2011 budget but could not be paid until January 11 or 15, 2011.

Mayor Pro Tem Abrego made a motion to approve the Advance Funding Agreement Amendment No. 1 for the Avenue A Business 35 to Oak Lane Project submitted by the Texas Department of Transportation. Council Member Hyatt seconded the motion and the motion carried unanimously.

6. **CONSIDER AND ACT ON ANNEXATION OF MARSHALL LANE AND AVENUE A NORTH OF WHEELER AVENUE AS PER REQUEST OF SAN PATRICIO COUNTY.**

County Commissioner Jim Price introduced Terry Simpson, San Patricio County Judge and David Aken, San Patricio County Attorney. Commissioner Price stated the City of Aransas Pass has annexed both sides of the road but not the road it self and has built their Public Works Department on Avenue A. He stated San Patricio County has maintained that road and requests the City annex it.

Mayor Pro Tem Abrego made a motion to approve the annexation of Marshall Lane and Avenue A north of Wheeler Avenue as per request of San Patricio County. Council Member McElwee seconded the motion and the motion carried unanimously.

7. **PRESENTATION BY "KEEP ARANSAS PASS BEAUTIFUL" ON THE SEAMAN'S MEMORIAL TOWER PROJECT.**

Ms. Brenda McElwee started off by thanking the Council for allowing Keep Aransas Pass Beautiful" (KAPB) to stand up and be recognized at their Council meeting. She stated "Keep Aransas Pass Beautiful" was comprised of 9 very dedicated members who would like to clean-up and beautify Aransas Pass.

Ms. McElwee stated (KAPB) member Mr. Paul Summers led the Seaman's Memorial Tower (SMT) project. She wanted to recognize and thank Ron Howe of Howe Electric for installing electricity for the lights to the SMT at no charge and Mr. George Williams for installing the irrigation system at no charge.

After the presentation, the City Council thanked Ms. McElwee and the members of "Keep Aransas Pass Beautiful" for a wonderful job on the Seaman's Memorial Tower.

8. **CONSIDER AND ACT ON REQUEST FOR FUNDS BY "KEEP ARANSAS PASS BEAUTIFUL" FOR THE NEWBURY PARK BEAUTIFICATION PROJECT.**

Council Member Attaway made a motion to table Agenda Item No. 8. Mayor Pro Tem Abrego seconded the motion and the motion carried unanimously.

9. **CONSIDER AND ACT ON APPROVAL OF A PUBLICITY AND TOURISM AGREEMENT BETWEEN CITY OF ARANSAS PASS AND ARANSAS PASS CHAMBER OF COMMERCE.**

Rosemary Vega with the Chamber of Commerce asked if Agenda Items 9 and 10 could be tabled until further notice.

Council Member McElwee made a motion to table Agenda Items 9 and 10. Council Member Attaway seconded the motion and the motion carried unanimously.

10. **CONSIDER AND ACT ON APPROVING THE ARANSAS PASS CHAMBER OF COMMERCE 2010-2011 BUDGET.**

Tabled under Agenda Item 9.

11. **CONSIDER AND ACT ON THE INSTALLATION OF PILINGS BY MR. CY PRATT AND MS. MARGARET STRICKHAUSEN IN THEIR DOCK SPACE ON CONN BROWN HARBOR.**

City Manager Winters stated Mr. Cy Pratt and Ms. Margaret Strickhausen had requested a ten year lease and permission to install pilings a couple of months ago. He stated he informed Mr. Pratt and Ms. Strickhausen that if the 10 year lease was not approved and pilings were installed the cost would be at their expense. City Manager Winters stated the 10 year lease had been denied but Mr. Pratt believed they had a verbal agreement on the pilings which were installed.

Ms. Strickhasen stated their boat is docked next to a concrete slab. She stated the pilings were installed to dock way from the slab.

Council Member Attaway stated he understood the dock space agreement (filled out in August of 2009) had not been signed and there wasn't any insurance on the dock space. He stated he

didn't have any problems with the pilings because they (the pilings) would belong to the City once the dock space agreement ended but it was important for the dock space lease agreement to have a signature and insurance on the property.

Council Member McElwee made a motion to approve the installation of pilings by Mr. Cy Pratt and Ms. Margaret Strickhausen in their dock space on Conn Brown Harbor. Council Member Attaway seconded the motion and the motion carried unanimously.

**12. PRESENTATION ON THE COASTAL BEND REGIONAL WATER RESCUE BY FIRE CHIEF RICK KILGORE.**

Fire Chief Rick Kilgore stated the Coastal Bend Regional Water Rescue was an independent, non-profit, volunteer based organization made up of local first responders, navigational districts and state governmental agencies. He stated the rescue organization would be funded through grants and would not cost the City any money. Chief Kilgore stated the organization could rescue stranded or injured boaters, respond to water based accidents, search and rescue and dive recovery.

**13. CONSIDER AND ACT ON APPROVAL OF AMENDING MACK OLIVER'S HARBOR LEASE AGREEMENT.**

Mayor Knight stated during the May 3, 2010 Council Meeting, he inadvertently gave Mack Oliver of Oliver's Martial Arts the building located at 518 Bigelow and one hundred foot (100') of bulkhead to use free of charge. He stated the lease would need to be amended to reflect only the building located at 518 Bigelow used free of charge and not one hundred foot (100') of water frontage.

Council Member Attaway made a motion to approve amending Mack Oliver's Harbor Lease Agreement to reflect the building located at 518 Bigelow would be used free of charge and not the one hundred foot (100') of water frontage. Council Member Hyatt seconded the motion and the motion carried unanimously.

**14. CITIZENS COMMENTS.**

Mr. Sandy Kubek thanked "Keep Aransas Pass Beautiful" for the Seaman's Memorial beautification Project. He stated he had a family members name on the memorial and it felt good that people wanted to help in its beautification. He stated the City could have a sample harbor lease available for perspective clients.

A couple of citizens from the audience complained of a vagrant sleeping on one of the picnic tables located in Harbor Park.

Mayor Knight stated he had not heard of the problem but would speak to Police Chief Darrell Jones.

**15. ADJOURNMENT OF MEETING.**

Council Member Attaway made a motion to adjourn the meeting. Council Member McElwee seconded the motion and the motion carried unanimously.

Mayor Knight adjourned the meeting at 8:10 P.M.

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Tommy Knight, Mayor

ATTEST:

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Yvonne Stonebraker, City Secretary